

(2) A PROVISION DESCRIBED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION EXPRESSLY PROHIBITING THE USE OF A RESIDENCE AS A FAMILY DAY CARE HOME MAY NOT BE ENFORCED UNLESS IT IS APPROVED BY A SIMPLE MAJORITY OF THE TOTAL ELIGIBLE VOTERS OF THE HOMEOWNERS ASSOCIATION UNDER THE VOTING PROCEDURES CONTAINED IN THE DECLARATION OR BYLAWS OF THE HOMEOWNERS ASSOCIATION.

(3) IF A HOMEOWNERS ASSOCIATION INCLUDES IN ITS DECLARATION, BYLAWS, OR RECORDED COVENANTS AND RESTRICTIONS A PROVISION PROHIBITING THE USE OF A RESIDENCE AS A FAMILY DAY CARE HOME, IT SHALL ALSO INCLUDE A PROVISION STATING THAT THE PROHIBITION MAY BE ELIMINATED AND FAMILY DAY CARE HOMES MAY BE APPROVED BY A SIMPLE MAJORITY OF THE TOTAL ELIGIBLE VOTERS OF THE HOMEOWNERS ASSOCIATION UNDER THE VOTING PROCEDURES CONTAINED IN THE DECLARATION OR BYLAWS OF THE HOMEOWNERS ASSOCIATION.

(4) IF A HOMEOWNERS ASSOCIATION INCLUDES IN ITS DECLARATION, BYLAWS, OR RECORDED COVENANTS AND RESTRICTIONS A PROVISION EXPRESSLY PROHIBITING THE USE OF A RESIDENCE AS A FAMILY DAY CARE HOME, THE PROHIBITION MAY BE ELIMINATED AND FAMILY DAY CARE MAY BE PERMITTED BY THE APPROVAL OF A SIMPLE MAJORITY OF THE TOTAL ELIGIBLE VOTERS OF THE HOMEOWNERS ASSOCIATION UNDER THE VOTING PROCEDURES CONTAINED IN THE DECLARATION OR BYLAWS OF THE HOMEOWNERS ASSOCIATION.

~~{F}--A--HOMEOWNERS--ASSOCIATION--MAY--INCLUDE--IN--ITS--RECORDED COVENANTS--AND--RESTRICTIONS,--BYLAWS,--RULES,--OR--DECLARATION---A PROVISION--THAT--REASONABLY--REGULATES-~~

~~{1}--THE--USE--OF-~~

~~{1}--A--RESIDENCE--AS--A--FAMILY--DAY--CARE--HOME,--AND~~

~~{11}--THE--COMMON--AREAS--BY--THE--CHILDREN--ATTENDING A--FAMILY--DAY--CARE--HOME--AND--THE--DAY--CARE--PROVIDER,--AND~~

~~{2}--THE--NUMBER--OR--PERCENTAGE--OF--FAMILY--DAY--CARE--HOMES ALLOWED--IN--THE--DEVELOPMENT-~~

(E) A HOMEOWNERS ASSOCIATION MAY INCLUDE IN ITS DECLARATION, BYLAWS, RULES, OR RECORDED COVENANTS AND RESTRICTIONS A PROVISION THAT:

(1) REGULATES THE NUMBER OR PERCENTAGE OF FAMILY DAY CARE HOMES OPERATING IN THE HOMEOWNERS ASSOCIATION, PROVIDED THAT THE PERCENTAGE OF FAMILY DAY CARE HOMES PERMITTED MAY NOT BE LESS THAN 7.5 PERCENT OF THE TOTAL RESIDENCES OF THE HOMEOWNERS ASSOCIATION.

(2) REQUIRES DAY CARE PROVIDERS TO PAY ON A PRO RATA BASIS BASED ON THE TOTAL NUMBER OF FAMILY DAY CARE HOMES OPERATING IN THE HOMEOWNERS ASSOCIATION ANY INCREASE IN INSURANCE COSTS OF THE HOMEOWNERS ASSOCIATION THAT ARE SOLELY AND DIRECTLY